

February 25 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

1 Jeremy S. Yellin, Esq.
2 Attorney at Law
3 P. O. Box 564
Havre, MT 59501
(406) 265-3303

FILED

FEB 25 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ATTORNEY FOR DEFENDANT

IN THE SUPREME COURT OF THE STATE OF MONTANA

STATE OF MONTANA,

Cause No.: DA-09-0501

Plaintiff and Appellee,

v.

MOTION TO EXTEND

KEVIN LEE CHRISTIANSEN,

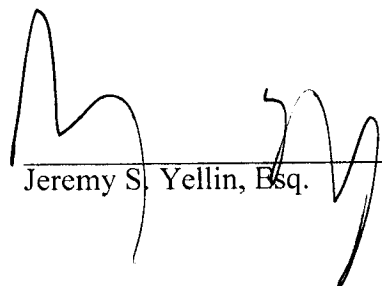
Defendant and Appellant.

COMES NOW Defendant/Appellant (Mr. Christiansen herein) by and through the undersigned, and hereby moves the court for an Order continuing the deadline for appellant briefing currently scheduled for February 25, 2010.

The basis for this motion is that the undersigned has an opening brief due in Supreme Court Case No. DA 09-0521, *Waters v. Smith*, on that same day.

The undersigned feels that a fifteen (15) day extension should be sufficient time to prepare and draft his brief.

The undersigned's office has contacted opposing counsel regarding the filing of this motion, who has indicated he has no objection to same.

DATED this 25th day of February, 2010.
Jeremy S. Yellin, Esq.

Jeremy S. Yellin, Esq.
Attorney at Law
P. O. Box 564
Havre, MT 59501
(406) 265-3303

ATTORNEY FOR DEFENDANT

IN THE SUPREME COURT OF THE STATE OF MONTANA

STATE OF MONTANA,

Plaintiff and Appellee,

v.

KEVIN LEE CHRISTIANSEN,

Defendant and Appellant.

Cause No.: DA-09-0501

**AFFIDAVIT IN SUPPORT OF
MOTION TO EXTEND**

STATE OF MONTANA)

County of Hill)

ss.

I, Jeremy S. Yellin, after being duly sworn, upon my oath, do depose and say as follows:

1. That your affiant has been unable to prepare a brief in this matter;
2. That your affiant has another opening brief due in the case of *Waters v. Smith*, Montana Supreme Court Case No. DA 09-0501 on February 25, 2010;
3. That because of this additional opening brief due on the same day, your affiant has been unable to prepare a brief by the deadline;
4. That your affiant believes that a new deadline fifteen (15) days to March 11, 2010, is sufficient; and

///

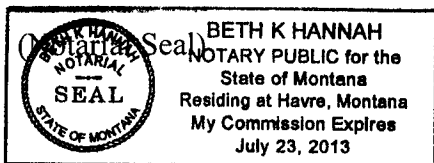
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5. FURTHER YOUR AFFIANT SAYETH NAUGHT.

Dated this 25th day of February, 2010.

Jeremy S. Yellin, Esq.

SUBSCRIBED AND SWORN to before me this 25 day of February, 2010.



Beth K Hannah
Notary Public for the State of Montana.
Printed Name Beth K Hannah
Residing at Havre, MT
My commission expires: 7/23/13